

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK JEFFS,

Petitioner,

v.

JOHN WETZEL, Secretary of Corrections,  
THE DISTRICT ATTORNEY OF THE  
COUNTY OF PHILADELPHIA, and  
THE ATTORNEY GENERAL OF THE  
STATE OF PENNSYLVANIA,  
Respondents.

CIVIL ACTION

NO. 14-827

**ORDER**

**AND NOW**, this 22nd day of September, 2015, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Frank Jeffs, the record in this case, the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated June 9, 2015, Objections to Magistrate's Report & Recommendation filed by *pro se* petitioner, and Response to Objections to Report and Recommendation filed by respondents, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated June 9, 2015, is **APPROVED** and **ADOPTED**;
2. Objections to Magistrate's Report & Recommendation filed by *pro se* petitioner are **OVERRULED**. The Objections relate to one of *pro se* petitioner's claims – ineffective assistance of trial counsel for failure to call as a defense witness a friend of the victim named Joseph Criniti – was covered in detail in the Report and Recommendation with which this Court is in agreement;
3. Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Frank Jeffs, is **DENIED**;

4. *Pro se* petitioner's request for appointment of counsel is **DENIED**;

5. The following Motions filed by *pro se* petitioner are **DENIED** for the reasons set forth in the Report and Recommendation:

- a. Motion for Leave to Amend the Petition for Writ of Habeas Corpus Pursuant to Fed. R. Civ. P. 15(a) (Document No. 29).
- b. Motion for Leave to Engage in Limited Discovery (Document No. 30).
- c. Motion for Extension of Time to File Responsive Pleadings (Document No. 32).
- d. Motion for Leave to File Consolidated Reply to Respondents' Response to the Petition for a Writ of Habeas Corpus, Motion for Discovery and Motion for Leave to Amend (Document No. 34);

6. *Pro se* Petitioner's Motion for Access to Authorities Only in Electronic Databases (Westlaw) and Other Access Limited Publications (Document No. 33) is **DENIED AS MOOT**; and,

7. The Court addressed and denied *pro se* petitioner's remaining motion – Motion for Extension of Time to File Responsive Pleadings (Document No. 36) – by separate Order dated September 22, 2015.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**